



INVESTOR IN PEOPLE

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Your Reference: 300200017-3 GB2
Application No: GB 0321028.3

19 December 2003

Dear Sirs

**Patents Act 1977:
Combined Search and Examination Report under Sections 17 and 18(3)**

Latest date for reply: 10 September 2004

I enclose two copies of my search and examination report and a copy of the citations.

By the above date you should either file amendments to meet the objections in the report or make observations on them. If you do not, the application may be refused.

Publication

I estimate that, provided you have met all the formal requirements, preparations for publication of your application will be completed soon after **3 February 2004**. At this time you will receive a letter confirming the exact date when the preparations for publication will be completed. This letter will also tell you the publication number and date of publication of your application.

Withdrawal/amendment

If you wish to withdraw your application before it is published you must do so before the preparations for publication are complete. **WARNING** - after preparations for publication are complete it will NOT be possible to withdraw your application from publication.

†Use of E-mail: Please note that e-mail should be used for correspondence only.



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If you wish to file amended claims for inclusion with the published application you must do so before the preparations for publication are completed. If you write to the Office less than 3 weeks before 3 February 2004 please mark your letter prominently:

"URGENT - PUBLICATION IMMINENT".

Yours faithfully

Anita Keogh
Examiner

Important information about combined search and examination

I also ask that you take note of the following points. These might have a bearing on the future stages of your application because the examination report has been sent to you before your application has been published.

- (a) You may file voluntary amendments before making a full response to my examination report. We will publish with your application any new or amended claims you file voluntarily or as a full response, provided that they are received before preparations for publication are completed. It would help us when you file amendments before publication if you could **prominently indicate** in a covering letter whether or not the amendments are intended as a full response to the examination report.
- (b) If you file a full response to the examination report before your application is published I will consider it as soon as possible. However, if this would disrupt the publication of your application, I would have to delay taking any action until the application had been published. This delay could be up to 3 months, depending upon when we receive your response.
- (c) There is another situation when there might be a delay between you filing a full response and the Patent Office responding to it. This would arise if you met all my objections but your application had not or had only recently been published. I could not report the outcome of my re-examination until I was satisfied that the search was complete for documents published before the priority date of your invention and that anybody interested in the application has had three months following publication of the application to make observations on the patentability of your invention.
- (d) Provided that the requirements of the Act have been met, I can send your application to grant as early as three months after publication. Before doing so I will bring the original search up to date and raise with you any further objection that might result from this top-up search. However, there is a possibility that at that time I may not have access to all the patent applications published after the priority date of your invention and of possible relevance to your application. If this is the case I would have to complete the search after grant and if necessary raise any new found novelty objection then.



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Application No: GB 0321028.3
Claims searched: 1-17

Examiner: Anita Keogh
Date of search: 18 December 2003

Patents Act 1977 : Search Report under Section 17

Documents considered to be relevant:

Category	Relevant to claims	Identity of document and passage or figure of particular relevance
X	1,2,5,7,15 at least	US 5598459 (HAARTSEN) see whole document, especially col. 1 line 46 - col. 2 line 26, col. 2 line 51 - col. 3 line 37, col. 3 line 66 - col. 4 line 4, col. 5 lines 12-69, col. 6 line 38 - col. 7 line 33, col. 9 lines 10-44 and fig. 3a.
A, P	-	US 2002/0174335 A1 (ZHANG et al.) see whole document, especially paragraphs 16-50

Categories:

X Document indicating lack of novelty or inventive step	A Document indicating technological background and/or state of the art.
Y Document indicating lack of inventive step if combined with one or more other documents of same category.	P Document published on or after the declared priority date but before the filing date of this invention.
& Member of the same patent family	E Patent document published on or after, but with priority date earlier than, the filing date of this application.

Field of Search:

Search of GB, EP, WO & US patent documents classified in the following areas of the UKC^v:

H4L

Worldwide search of patent documents classified in the following areas of the IPC⁷:

G06F, H04L, H04Q

The following online and other databases have been used in the preparation of this search report :

Online: WPI, EPODOC, JAPIO



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Patents Act 1977

Combined Search and Examination Report under Sections 17 & 18(3)

Plurality of invention

1. Your claims define a number of separate inventions not forming a single inventive concept. The inventions seem to be:

- a) the invention of claims 1, 10, 14 (where claims 10 & 14 might form a further invention)
- b) the invention of claim 15

2. You will need to amend your claims, so that they relate to only one invention or inventive concept. You will also need to make consequential amendments to the description. You may wish to consider filing divisional applications. Any such applications should normally be filed no later than 3 months before the expiry of the period for putting the present application in order.

Novelty, obviousness

3. The invention as defined in claims 1, 2, 5, 7 & 15 at least is not new because it has already been disclosed in the following document:

- a) US 5598459 (HAARTSEN) - see whole document, especially col. 1 line 46 - col. 2 line 26, col. 2 line 51 - col. 3 line 37, col. 3 line 66 - col. 4 line 4, col. 5 lines 12-69, col. 6 line 38 - col. 7 line 33, col. 9 lines 10-44 and fig. 3a.

4. In US 5598459, when it is detected (using conventional techniques) that a cellular user terminal of a wide area cellular network is within range of a service zone of a base station of a personal communication system, the base station of the personal communication system is subject to authentication by the wide area cellular network. The cellular network confirms that the user terminal can use the personal communication system once it has authenticated the system. In the described embodiment the base station is verified by the wide area cellular network, which uses the cellular terminal to relay authentication messages between the base station and the wide area cellular network. Alternatively, the authentication messages may be relayed via a wire telephone network connection between the wide area cellular network and the base station.

5. Thus, there is nothing new in a system where, on identification of a location based service that a user might potentially use, a cellular communications provider determines the authenticity/trustworthiness of the provider of the location based service, in preparation for providing the user with information regarding authentication of the service.



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[Examination Report contd.]

6. While this document uses the example of a personal communication system and a wide area cellular network, it is clear from column 9 lines 10-44 that any local network service can be authenticated in this way by any macro network, regardless of whether or not the local network is connected to, or covered by the macro network. A wireless hotspot is considered to fall within the scope of the envisaged local network and it is considered obvious that local network authentication includes authentication of the network services provided.

7. Furthermore, it is conventional for the location of a cellular terminal to be tracked and it is thought that the conventional means used to determine entry of a user terminal into a local network area can include user initiated actions.

8. Thus US 5598459 satisfies claims 1, 2, 5, 7 & 15 and appears to render obvious claims 3, 4, 9, 10-12, 14 & 16 at least.

Scope, support, clarity

9. The invention defined in claims 1, 10 and 14 requires "an indication of potential use of a specified wireless hotspot from a user" and it is considered that this defines a requirement for a user to provide a positive indication identifying a specific hotspot. A prediction of a hotspot within current or future range, obtained by user tracking, is not considered to satisfy the indication requirement of claims 1, 10 and 14 and neither is a user indication specifying a service but not a hotspot. Any references in the description or claims suggesting that such indications are acceptable alternatives to a positive user indication of a specific hotspot, should be deleted or amended accordingly, e.g. see claims 7 & 9, page 5 lines 4-9 and page 8 lines 14-22.

10. Claim 1 does not clearly define the services or the provider of the services whose trustworthiness is being verified. Amendment is needed to more clearly indicate that the cellular communications service verifies "the trustworthiness of a provider of a service available at the specified wireless hotspot". In addition at line 9, it is necessary to clarify whether "the provider" is "the cellular communications service provider" or "the provider of the service running at the wireless hotspot". Furthermore, claims 1, 10, 14 and 15 refer to a "user" but do not clearly define the user. The invention seems to concern a user of a wireless communications device of the cellular communications service and the claims should be clarified accordingly.

11. Claim 5 defines a method where "a service at a wireless hotspot within current or future range of the user" is "predicted from the location of the user". It is clear that a user location can be used to predict a potential hotspot but it is not clear how a user location enables prediction of a service at the hotspot. Clarification is required.



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[Examination Report contd.]

12. I can find no specific support for the particular feature of "identifying services available at the specified wireless hotspot" and thus there appears to be no specific support for claims 10 and 14. It is noted that if such a feature is to be considered obviously implicit, its presence in the citation might similarly be considered obviously implicit.

13. In claim 13 it is necessary to indicate whether "the hotspot" of line 10 is "the specified hotspot" of claim 10 or "the hotspot" identified in claim 12.

14. In claim 15, line 32 should seemingly refer to "the user" and in claim 16, line 9 should seemingly refer to "from the user".

15. The passage on page 10 lines 1-11 should be deleted as it obscures the scope of the invention. It is pushing the boundaries of interpretation somewhat to try to suggest that a "building" corresponds to a "wireless service". The invention relates to authenticating the provider of a wireless service available in a specific location/hotspot. A person accessing a building is not comparable to a user using a wireless service and in any case this "building" application does not authenticate a "provider" of the building but instead authenticates the person requiring access.

16. Claims 1, 10 and 14 respectively identify "a cellular communications service provider", "a cellular telecommunications provider" and a "cellular communications provider" as the means that receives the indication from the user and determines the authenticity of the hotspot service provider for provision to the user. Thus in effect, this feature is limited to a "cellular telecommunications provider" and it is necessary to amend page 3 lines 28-29, page 4 line 1, page 5 lines 13-14, page 7 lines 9-23 and any other similar references, so that they clearly indicate this limitation.

17. In the description the statements of invention on page 2 line 5 to page 3 line 8 require amendment so that they fully correspond to the invention as defined in the independent claims.